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SEP 30 2002

INQUEST INTO THE
DEATH OF
CHRISTOPHER STEPHENSON

VERDICT OF THE JURY

MINISTRY OF THE SOLICITOR GENERAL
OFFICE OF THE CHIEF CORONER

HQ
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1993

SEPTEMBER 8, 1992 TO JANUARY 22, 1993

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Ontario. Office of the Chief
Coroner.

Inquest into the death of
Christopher Stephenson : verdict
of the jury.

HQ 72 C2 057 1993

Ontario. Office of the Chief Coroner.
Inquest into the death of Christopher
Stephenson : verdict of the jury.

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DEATH OF
CHRISTOPHER STEPHENSON

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SEPTEMBER 8, 1992 TO JANUARY 22, 1993

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*WE, THE JURY,
WISH TO EXPRESS OUR SINCERE CONDOLENCES AND SYMPATHY
TO THE FAMILY OF CHRISTOPHER STEPHENSON*

*WE, THE JURY,
WOULD LIKE TO DEDICATE OUR VERDICT
TO CHRISTOPHER IN THE HOPE
IT WILL PROTECT OTHER CANADIAN CHILDREN
FROM DANGEROUS SEXUAL PREDATORS*



Ministry of
the Solicitor
General

Office of
the Chief
Coroner

Verdict of Coroner's Jury / Verdict du jury du coroner

Ministère du
Solliciteur
général

Bureau
du coroner
en chef

We
Nous soussignés, DANIEL NIXON of MISSISSAUGA
RICHARD FLEMING of MISSISSAUGA
SANDRA PIERCE of MISSISSAUGA
BONNIE LEWIS of MISSISSAUGA
ROBERT BURNHAM of MISSISSAUGA

the jury serving on the inquest into the death of: / dûment assémentés, formant le jury dans l'enquête sur le décès de:

Surname / Nom de famille STEPHENSON Given names / Prénom CHRISTOPHER
aged 11 held at OLD COURTHOUSE, 3 WELLINGTON ST. BRAMPTON
aged (e) de 11 qui a été menée à OLD COURTHOUSE, 3 WELLINGTON ST. BRAMPTON
on the MAY 11 & 12, 1992 and day(s) of SEPT 8-JAN 22 1993
le MAY 11 & 12, 1992 and (du/au) SEPT 8-JAN 22 1993
by DR. J. CAIRNS Coroner for Ontario. (DEPUTY CHIEF CORONER)
par DR. J. CAIRNS coroner pour l'Ontario.

having been duly sworn, have inquired into and determined the following: / avons enquêté et avons déterminé ce qui suit:

1. Name of deceased
Nom du (de la) défunt(e) CHRISTOPHER STEPHENSON
2. Date and time of death
Date et heure du décès JUNE 18, 1988 (PRONOUNCED JUNE 19, 1988)
3. Place of death
Lieu du décès IN BUSH WEST OF C.P.R. TRACKS, WEST OF VANIER CENTRE -
FOR WOMEN, BRAMPTON. (PEEL)
4. Cause of death
Cause du décès STABBED 3 TIMES IN LEFT SIDE OF NECK BESIDE THE TRACHEA
(BLED TO DEATH)
5. By what means
Circonstances entourant le décès _____

HOMICIDE, IN DECEMBER 1989, JOSEPH FREDERICKS WAS
CONVICTED OF THE FIRST DEGREE MURDER OF
CHRISTOPHER STEPHENSON

(Continue on reverse side if necessary / Continuer au verso si nécessaire)

Foreman/Président du jury

Signatures of Jurors / Signature des jurés

This verdict was received by me this _____ day of _____
Ce verdict a été reçu par moi le _____ 19 _____

Signature of Coroner / Signature du coroner

Distribution: Original - Regional Coroner for forwarding to Chief Coroner / L'original - coroner de la région pour transmission au coroner en chef
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We wish to make the following recommendations: / Nous souhaitons faire les recommandations suivantes:

PLEASE SEE ATTACHED PAGES.

(Attach additional pages if required / Joindre des feuilles supplémentaires au besoin)

Signature of Foreman / Signature du président du jury

Signature of Coroner / Signature du coroner

Note: Section 31 of the Coroner's Act provides as follows

- 31 - (1) Where an inquest is held, it shall enquire into the circumstances of the death and determine,
- a) who the deceased was,
 - b) how the deceased came to his death;
 - c) when the deceased came to his death,
 - d) where the deceased came to his death; and
 - e) by what means the deceased came to his death.
- (2) The jury shall not make any finding of legal responsibility or express any conclusion of law on any matter referred to in subsection (1).
- (3) Subject to subsection (2), the jury may make recommendations directed to the avoidance of death in similar circumstances or respecting any other matter arising out of the inquest.
- (4) A finding that contravenes subsection (2) is improper and shall not be received.
- (5) Where a jury fails to deliver a proper finding, it shall be discharged. R.S.O. 1980, C. 93, s. 31

Remarque: L'article 31 de la Loi sur les coroners stipule que

- 31 - (1) Si une enquête est tenue, les circonstances entourant le décès y sont examinées et les faits suivants y sont établis
- a) l'identité du défunt;
 - b) la cause du décès;
 - c) le moment du décès;
 - d) l'endroit du décès;
 - e) les circonstances entourant le décès.
- (2) Le jury ne doit pas faire de déclaration de responsabilité civile ou criminelle légale ni énoncer de conclusion de droit sur les questions visées au paragraphe (1).
- (3) Sous réserve du paragraphe (2), le jury peut faire des recommandations visant à empêcher qu'un décès se produise dans des circonstances semblables ou portant sur une question découlant de l'enquête.
- (4) La conclusion qui contrevient au paragraphe (2) est inacceptable et irrecevable.
- (5) Le jury qui ne parvient pas à une conclusion acceptable est libéré. L.O. 1980, chap. 93, art. 31

We the members of the Jury have numerous recommendations as a result of this Inquest and we feel it is necessary to have an understanding of the life of Joseph Fredericks to comprehend the importance of these recommendations.

BORN:	February 11, 1943
FATHER:	Either Albert Fredericks (who had a Police record and was well known to Social Agencies), or Roland Gagne (who spent five years in Reformatory for assaulting a thirteen year old girl).
MOTHER:	Rosa Anna Poirier who was of borderline intelligence and had thirteen children. The entire family was either defective or of borderline intelligence. Many of the family members had been in jail or Reformatory. His family was well known to social agencies and the Police in the Ottawa area and was indeed considered one of the worst families in the area.
October 1943-November 1952	Admitted to Children's Aid Society (several foster homes, longest residence in any one was one year).
November 1952- July 1953	Resident, St. Joseph's Orphanage
July 1953-May 1954	Resident in five foster homes (constant runaway, first criminal activity involving Police).
May 1954-April 1959	Ontario Hospital, Smith Falls (Behavioral problems, several elopements including a sexual assault on a girl, age eleven; threatening a boy, age nine at gunpoint; stealing a shotgun and a steak knife; and several sexual misdemeanours with younger children at the institution).

(Life of Joseph Fredericks continued)

April 1959- September 1980	Mental Health Centre, Penetanguishene (Maximum Security, Oak Ridge). During this period there were several homosexual incidents involving patients. In 1963 he was transferred to Minimum Security. Within one month he sexually assaulted a six year old girl at knifepoint and buggered a fifteen year old boy while threatening him with a gun. He was not charged but was returned to Maximum Security, Oak Ridge, Penetanguishene. Fredericks later stated to a doctor that he wished he had 'KILLED THE LITTLE GIRL'.
September 1980-January 1982	St. Thomas Psychiatric Hospital. Frequent difficulties being managed and he was returned to Oak Ridge after a sexual encounter with a mentally retarded, child-like female patient using threats and force. St. Thomas advised Penetang that Fredericks was an unsuitable patient for their facility and should not be considered for another trial like this for another three to six years, if ever.
January 1982-June 1983	Mental Health Centre, Penetanguishene (Maximum Security, Oak Ridge). Incidents of homosexual behaviour and encouraging collusive behaviour during treatment.
June 1983-October 1983	Kingston Psychiatric Hospital (Medium Security). Within one month Fredericks elopes, sexually assaults a ten year old boy using force, and assaults a fifteen year old girl at knifepoint. He was sentenced to 22 months plus two years probation. He was not charged with a sexual offense because the witness could not testify.

(Life of Joseph Fredericks continued)

October 1983- August 1984	Ontario Correctional Institute, Brampton (Minimum Security) and Millbrook Institution, Peterborough. Fredericks was transferred from Minimum to Maximum Security because of behavioral problems.
August 1984-September 1984	Riverside House, Ottawa (Parole). Within two weeks, elopes and using force, threats and a guard dog, rapes an eleven year old boy. He threatened to kill the boy. Crown Attorney considers Dangerous Offenders Act but doesn't pursue because of the boy's and parents' unwillingness to testify. Sentenced to five years imprisonment.
September 1984-November 1984	Ottawa Detention Centre
November 1984-November 1987	Warkworth Institution, Peterborough.
November 1987-February 1988	Exodus Link, Toronto (Day Parole). Removed and sent back to Warkworth Institution because of public outcry as a result of the Melvin Stanton incident. Release plan now totally collapsed.
March 1988	Released on Mandatory Supervision.
March 1988-June 1988	7406 Darcel Avenue, Mississauga, Ontario.
June 1988	524 Ray Lawson Boulevard, Brampton, Ontario.

We the Jury also strongly feel that to have a proper understanding of our recommendations, it is imperative to have an insight into the life of the victim CHRISTOPHER STEPHENSON.

Christopher was born on November 9, 1976 and died on June 18, 1988. Two months before his death he wrote the following poem:

THE FIRE

WARM AND COZIE,
GLOW OF LIGHT,
WARMTH AND HEAT THROUGHOUT THE NIGHT,
FAMILY TALK,
CRACKLING, POP,
STARING AT THE MANTLE PIECE
WITH THE SHINY WHITE GEESE.
BUT AS THE FIRE GOES OUT
I HAVE NO DOUBT OF THE WARMTH AND LOVE
THROUGHOUT OUR HOUSE.

Christopher was an active, healthy eleven year old boy who was involved in baseball, hockey and other sports. He was a good student, well liked by his peers, and a loving son.

The members of the Jury would like to express their deepest appreciation to Jim and Anna Stephenson for showing great courage in the pursuit of the truth.

RECOMMENDATIONS

GENERAL COMMUNITY PROTECTION RECOMMENDATIONS

1. It is recommended that legislation be created which shall provide for the protection of the community by permitting the continued detention of sexually violent predators beyond expiration of their sentences, or other dispositions of detention as authorized by the Criminal Code of Canada, as well as the provision of treatment during their confinement. Further, in recognition that there exists a constitutional division of powers between criminal detention and civil commitment authorities, it is recommended that the federal and provincial governments work in concert to construct constitutionally sound legislation which shall ensure the continuing protection of the community from sexually violent predators. The Washington State Community Protection Act, 1990, should be used as a model for such legislation. (See Appendices A and B.) It is strongly recommended by the Jury that a joint Federal/Provincial Task Force be implemented within six months from today to facilitate this recommendation and that it be national in scope.

REASON

According to the evidence presented to us the chance of a violent sexual predator being successfully cured would seem very remote and that is why we are recommending the Community Protection Act of Washington State as a model for a similar Canadian law that would be national in scope.

2. It is recommended that the unproclaimed capping provisions of Bill C30, an Act to amend the Mental Disorder Provisions of the Criminal Code of Canada, which permits the release of dangerous, mentally disordered offenders after a stipulated maximum period of detention, not be proclaimed in force, unless and until community protection legislation is enacted which shall permit prior to such release an application before the courts for an order to continue the detention of the dangerous, mentally disordered offender.

REASON

This recommendation could be used as a way to detain for an indefinite time someone who meets the criteria to be detained under a Community Protection Act until such an act is made law.

(General Community Protection Recommendations continued)

3. It is recommended that the Criminal Code of Canada be amended to permit the imposition of probationary periods of up to ten years in addition to any sentence of incarceration regardless of whether it is to be served in a provincial prison or federal penitentiary for level one offenders.

REASON

This recommendation could be used as tool to further monitor a particular type of offender whom the Courts feel could be a threat to Society.

4. It is recommended that the Federal and Provincial governments create a national Interdisciplinary Committee to coordinate and fund research into the treatment and management of sex offenders.

REASON

In order for all branches of the Correctional Service of Canada and the National Parole Board, the Courts and other outside agencies to work in a unified direction as they apply to sexual offenders, we feel that this direction should come from a centralized committee.

5. It is recommended that the Federal and Provincial governments provide funding for the research into psychopathy and sexual disorders.

REASON

In order to provide the needed insight into such illnesses the proper funding must be made available.

6. It is recommended that the Federal government take the appropriate measures to ensure the public is made aware that volunteer organizations have the ability to screen potential volunteers with local police authorities.

REASON

The Public must be made aware of the resources available in the course of proper volunteer assessment.

RECOMMENDATIONS FOR THE CORRECTIONAL SERVICE OF CANADA
AND THE NATIONAL PAROLE BOARD

7. It is recommended that the views of all members of the Case Management Team should be presented to the Parole Board, including any dissenting views. (These views must be explicitly brought to the Board's attention and not left in the file with the hope that they will be read.)

REASON

To ensure all views are presented to the Parole Board.

8. It is recommended that an office of the Public Advocate be created within the Federal Ministry of the Solicitor General to act as independent counsel to review all decisions of the Case Management Team not to refer an inmate for Preventive Detention. Further, the independent advocate shall review all release plans and appear at all parole hearings before the National Parole Board to make representations thereon in the public interest.

REASON

This recommendation serves two purposes. (1) To have an independent third party representing the public and (2) It removes any possible conflict of interest for the Case Management Team.

9. It is recommended that the Corrections and Conditional Release Act be immediately amended to permit the National Parole Board to impose residency requirements and other conditions on statutory release where appropriate, notwithstanding that a Preventive Detention application has not been made before the National Parole Board.

REASON

This recommendation could add a significant amount of leverage and control to any 'Statutory Release' deemed important by the National Parole Board.

(Recommendations for the Correctional Service of Canada
and the National Parole Board continued)

10. It is recommended that all psychologists in the employ of the Correctional Service of Canada maintain detailed and accurate records of all counselling sessions both formal and informal, conducted with the inmates. Further, these records must be maintained within the inmate's file.

REASON

Information received by the psychologist at any time or under any circumstance should be recorded in the inmate's file for future consideration.

11. It is recommended that any order of the National Parole Board of Canada be reproduced verbatim in the Parole Certificate of the parolee. The Parole Certificate must be prepared and produced by the National Parole Board of Canada.

REASON

To avoid any confusion or conflict as to what was ordered by the Parole Board and to avoid any chance for error between the National Parole Board and Corrections Canada in producing the Certificate.

12. It is recommended that the Case Management Team confirm in writing to the National Parole Board immediately prior to the release of the inmate, that the release plan can be implemented as approved.

REASON

This would preclude the release of any inmate whose release plan as outlined to the National Board could not be implemented as stated on the certificate.

13. It is recommended that the National Parole Board amend the wording as contained on the reverse of the statutory release certificate regarding reporting change of address from 'to report as soon as possible' to read 'immediately', in order to conform with the requirements of the regulations pursuant to the Corrections and Conditional Release Act.

REASON

Evidence shows that it is not clear as to when a parolee has to notify the proper authorities when changing jurisdictions.

(Recommendations for the Correctional Service of Canada and the National Parole Board continued)

14. It is recommended that the Parole Supervisor report in writing to the National Parole Board certifying that the release plan has been implemented as ordered and if not, any reasons for non-compliance within fifteen days of the inmate's release.

REASON

This would give the National Parole Board time to review the entire release plan they approved.

15. It is recommended that the Correctional Service of Canada ensure that the parolee's file is obtained by the supervising Parole Officer prior to the release of the inmate. Furthermore, when a parolee changes jurisdiction, the supervising Parole Officer shall be responsible for parole supervision until such time that the complete file has been received by the new jurisdiction.

REASON

The evidence shows that parolee's files are not transferred in a timely fashion to ascertain risk by the new parole officer. Also evidence shows that confusion was evident as to who was the parole officer while offenders were changing jurisdictions.

16. It is recommended that the National Parole Board be required to conduct an annual audit of release plans to determine the number of plans that are not fulfilled following the release of inmates on parole.

REASON

This would allow the National Parole Board to identify recurring problems with release plans and address them with proper long term planning.

17. It is recommended that the Correctional Service of Canada designate and train selected Parole Supervisors in the supervision and management of sexual offenders.

REASON

The evidence shows a lack of training of parole officers that deal with sex offenders.

(Recommendations for the Correctional Service of Canada
and the National Parole Board continued)

18. It is recommended that the Correctional Service of Canada develop a national strategy for the assessment, management and treatment of sex offenders. Further that the Correctional Service of Canada establish an office within its National Headquarters to exercise responsibility for the direction and development of policy and programs to deal specifically with sex offenders.

REASON

The evidence shows different institutions have different policies for sex offenders and this should be coordinated under a national policy.

19. It is recommended that the Correctional Service of Canada create the position of National Coordinator for the treatment and management of sexual offenders. This Coordinator would report directly to the Commissioner of the Correctional Service of Canada. The Coordinator should be chosen following a national job search, involving both internal and external candidates, in an effort to select the best qualified and respected expert in this field. The Coordinator would be responsible for the development and implementation of the national strategy as referred to in the previous recommendation.

REASON

The evidence shows different institutions have different policies for sex offenders and this should be coordinated under a national policy.

20. It is recommended that the Correctional Service of Canada and the National Parole Board, with appropriate professional and community assistance, continue to define the meaning/interpretation of 'serious harm' as contained within the detention provisions of the Corrections and Conditional Release Act and in particular with regards to the psychological harm consequent to victimization.

REASON

Evidence shows no consensus of the meaning 'serious harm', both physical and psychological, therefore detention applications are not sought in many cases.

(Recommendations for the Correctional Service of Canada
and the National Parole Board continued)

21. It is recommended that the Correctional Service of Canada immediately implement Jury recommendation #6 as outlined in the 'Inquest Touching the Death of Tema Conter', specifically 'that the Federal government should complete an agreement to pay the Provincial government for health insurance premiums for all inmates in the federal institutions located in the province. This will facilitate outside psychiatric / psychological treatment when indicated (e.g. Clarke Institute).'

REASON

This will enable the Correctional Service of Canada and also medical personnel in the various correctional facilities to refer offenders towards the most appropriate treatment without concern for cost.

22. It is recommended that the Correctional Service of Canada continue the funding and expansion of established community based sexual offender treatment programs for offender aftercare.

REASON

Evidence shows that funding for aftercare programs is inconsistent which causes problems with release plans that assume these programs are ongoing. It is agreed that sexual offenders that return to society must have access to an aftercare program.

23. It is recommended that the Correctional Service of Canada and the National Parole Board establish new criteria for the carrying out of internal audits in all cases where serious harm or death occurred, or reasonably could have occurred. This criteria would include,
- (i) a reasonable period of time to conduct an effective and thorough investigation,
 - (ii) all interview notes must be maintained,
 - (iii) witness statements should be signed, and,
 - (iv) all supporting documentation should be reasonably identified and preserved.

It is further recommended that this audit be made available to the public.

REASON

Evidence shows that the audit was inconclusive and not properly focused.

(Recommendations for the Correctional Service of Canada
and the National Parole Board continued)

24. It is recommended that all employees of the Correctional Service of Canada and the National Parole Board whose jobs are directly related to risk evaluation and/or release, initial or in some other manner confirm in writing that they have read all relevant Correctional Service of Canada and National Parole Board policy memoranda and changes or updates thereto.

REASON

Evidence shows clearly that the Correctional Service of Canada had policies in effect that were either not known or misunderstood by its employees.

25. It is recommended that disciplinary procedures be amended to disentitle an employee of the Correctional Service of Canada or the National Parole Board from relying on adherence to minimum standards when in practise the minimum standards have become maximum standards.

REASON

This will encourage the person involved with parole supervision not to take the path of least resistance in supervision of offenders.

26. It is recommended any medical report prepared by a psychiatrist or psychologist in the employ of the Correctional Service of Canada or the National Parole Board must stipulate any qualifications or time context so as to avoid giving a subsequent reader a false sense of progress.

REASON

Evidence has shown that medical reports (psychological) if not clearly stated can give false hope as to an offenders longer term risk to society.

(Recommendations for the Correctional Service of Canada
and the National Parole Board continued)

27. It is recommended whenever a serious and material conflict presents itself between different psychiatrists and/or psychologists with respect to risk assessment of a serious offender, Case Management Teams or other parole officers must refer the problem to their superiors for action.

REASON

Evidence shows a third opinion is necessary when conflicting risk assessments are given by psychiatrists/psychologists to disallow choosing the report convenient to the release plan as designed by the Case Management Team.

28. It is recommended that Correctional Service of Canada staff at least 90 days prior to statutory release and/or warrant expiry, in conjunction with a prison physician or psychiatrist, refer all dangerous, high-risk sexual offenders to a psychiatric facility for a psychiatric assessment pursuant to the involuntary admission provisions of the Mental Health Act of Ontario.

REASON

This will ensure that efforts are made to detain dangerous high-risk sexual offenders.

29. It is recommended that Correctional Service of Canada staff notify the Attorney General of the province or his designate at least 90 days prior to statutory release and/or warrant expiry about releases of all dangerous, high-risk sexual offenders. The Attorney General of the province or his designate shall, in the interests of community protection, take necessary measures to detain the offender including involuntary admission and committal to a psychiatric facility under the provisions of the Mental Health Act of Ontario.

REASON

This is a further effort to detain dangerous high-risk sexual offenders in the interests of public safety.

(Recommendations for the Correctional Service of Canada
and the National Parole Board continued)

30. It is recommended that as a standard condition of release, all person released from a place of incarceration on conditions prior to warrant expiry be required to report to police in the jurisdiction where the person is released on arrival into the jurisdiction immediately following reporting to his or her parole officer.

REASON

This will familiarize police with parolees and remind parolees of police presence.

31. It is recommended that the Correctional Service of Canada and the National Parole Board amend their Mission statements to more actively reflect 'The Protection of Society' as the top priority of their mandate to the Public.

REASON

To ensure that people in the employ of the Correctional Service of Canada and the National Parole Board are made aware that the PUBLIC is the number one priority in the handling of any offender.

32. It is recommended that parole officers and immediate supervisors frequent halfway houses in their jurisdiction to ensure that inmates are aware of their presence.

REASON

This would ensure an authoritative power is present and said authorities are familiar with parolees in their jurisdiction.

33. It is recommended that the Correctional Service of Canada assume responsibility for the proper interpretation and implementation of any and all verbal directives that may originate directly from the Solicitor Generals Office.

REASON

To ensure that the interpretation and implementation adopted from verbal directives is carried out in a responsible manner and the spirit in which it was intended and to ensure that there is a degree of accountability.

RECOMMENDATIONS FOR THE ONTARIO MINISTRY OF HEALTH

34. It is recommended that The Ministry of Health of the Province of Ontario together with the medical and psychiatric professions develop and adopt guidelines for psychiatrists Review Boards and Courts to follow when considering involuntary admission of dangerous, high-risk sexual offenders to a psychiatric facility. The guidelines should clarify, in particular, the definition of 'mental disorder' under Section 1 as inclusive of psychopathy and the terms 'imminent danger' and 'serious bodily harm'. Such guidelines and criteria should emphasize protection of the community and assessment of risk. In addition, it is recommended that the provincial Ministry of Health undertake a comprehensive educational effort to assist psychiatrists interpreting sections of the Mental Health Act relating to the involuntary admission concurrent with the issuance of guidelines.

REASON

Evidence shows confusion amongst psychiatrists as to psychopathy being a mental illness, confusion over 'imminent danger' and confusion over 'serious bodily harm'. Evidence also clearly shows that the capability to use existing legislation to detain high-risk, possibly violent sexual offenders may exist as long as there can be agreement on establishing guidelines whose interpretation is shared by all.

35. It is recommended that the Ontario Ministry of Health directly fund the provision of legal counsel to appear on behalf of psychiatrists who are required to appear before the Regional Psychiatric Review Board.

REASON

Evidence shows psychiatrists are reluctant to repeatedly appear before Review Boards to justify a committal when the offender has legal representation funded by the public.

36. It is recommended that it be the responsibility of the hospital administrator to prepare a detailed and accurate summary of patients admission, treatment and prognosis upon discharge or transfer to another facility.

REASON

We would like to ensure that when an offender is transferred from one type of facility to another, responsibility is taken to ensure an accurate summary follows that offender.

(Recommendations for the Ontario Ministry of Health continued)

37. It is recommended that any time a psychiatric patient under the care or control of a psychiatric facility commits any offence that it be reported to the appropriate law enforcement authorities.

REASON

Evidence shows that all offences committed by offenders in Mental Health facilities are not necessarily reported. Police should have the option of prosecuting and at the same time details of offences will be on police files.

38. Recognizing that the treatment of sex offenders is a long term on-going requirement extending beyond warrant expiry date we recommend that the Ontario government through the Ministry of Health and the Ontario Hospitalization Insurance Plan together with the Federal government provide continuing financial coverage for the treatment of all sex offenders who are receiving treatment in a recognized treatment program established while on parole notwithstanding that the program maybe under the direction of a psychologist.

REASON

We feel that the treatment of sex offenders should not be impeded by any restrictions in the existing guidelines as this treatment is in the best interest of society and some of the best programs are administered by psychologists who presently cannot receive funding from the Ontario Hospitalization Insurance Plan.

RECOMMENDATIONS FOR THE ONTARIO MINISTRY OF THE ATTORNEY GENERAL

39. It is recommended that the Ontario Ministry of the Attorney General continue to aggressively prosecute all cases of child abuse and sexual assault and provide support to the victim.

REASON

It is important for the Courts to realize public concern when it relates to violence to children and sexual assault. The best support for the victim is the proper prosecution of all violent sexual offenders.

40. It is recommended that the Ontario Ministry of the Attorney General continue to make aggressive use of the Dangerous Offender provisions of the Criminal Code of Canada.

REASON

Evidence shows that a more aggressive pursuit of the Dangerous Offender Application may have prevented the eventual release of Joseph Fredericks.

41. It is recommended that the Ontario Ministry of the Attorney General ensure that any cases which involve child abuse, sexual assault or potential Dangerous Offender applications that develop evidentiary problems will be reviewed by a senior Crown Attorney.

REASON

It is important to remember that society will not tolerate the abuse of children on any level and all obstacles to the successful prosecution of the offender must be eliminated. If all else fails it is important to have on the offender's record the details of the failed Dangerous Offender Application for future reference.

42. When evidentiary problems are based on the unwillingness of a victim to testify, the matter should be referred to the senior Crown Attorney in the jurisdiction and a report submitted to the Attorney General's Office to determine what steps can be effected to persuade the victim or the victim's family to testify.

REASON

It is important to remember that society will not tolerate the abuse of children on any level and all obstacles to the successful prosecution of the offender must be eliminated.

(Recommendations for the Ontario Ministry of
the Attorney General continued)

43. It is recommended that if dangerous offender applications are abandoned due to the evidentiary problems, the Attorney General's office must submit a report to the Correctional Service of Canada and the National Parole Board setting out the particulars thereof.

REASON

So that the Correctional Service of Canada and the National Parole may apply their informed judgement, it is important to have on the offender's record the details of the failed Dangerous Offender Application for future reference.

RECOMMENDATIONS FOR THE SOLICITOR GENERAL

44. It is recommended that the Solicitor General of Canada in conjunction with the Ontario Ministry of the Solicitor General, Police and other appropriate bodies establish a registry for convicted, dangerous, high risk sexual offenders and require each such offender to register with police in the jurisdiction where the offender will reside or is residing. In addition, it is recommended that the Ontario Provincial Police establish a central registry of dangerous, high risk sexual offenders required to register with the local police.

REASON

The evidence shows a very important tool in understanding and dealing with violent sexual predators is to have full and complete access to that persons' history, be it from a Correctional facility or Mental Health facility. If a summary of this information could be kept in a central registry for access by local police, the Royal Canadian Mounted Police and others it could greatly assist the investigation and apprehension of sexual offenders.

45. It is recommended that the Solicitor General of Canada direct the National Parole Board to ask the Case Management Team with respect to every application whether the offender is a dangerous, high-risk sexual offender likely to re-offend.

REASON

This question if asked at every Parole Board hearing will highlight the public's concern over the risk of releasing sexual offenders.

46. It is recommended that the National Parole Board be given the power to force the Correctional Service of Canada to reconsider a decision not to bring a detention application.

REASON

The Case Management Team may overlook a Detention Application due to the nature of their job description that is to assist the offender to have a viable release plan.

RECOMMENDATIONS FOR CANADIAN POLICE FORCES

47. It is recommended that the Correctional Service of Canada and the Royal Canadian Mounted Police expand the capacity of the C.P.I.C. computer system to provide enhanced offender information including conditions of release, complete criminal history and details of all offences (modus operandi), psychiatric diagnoses and a source for further information.

REASON

The evidence shows a very important tool in understanding and dealing with violent sexual predators is to have full and complete access to that persons' history, be it from a Correctional facility or Mental Health facility. If a summary of this information could be kept in a central registry for access by local police, the Royal Canadian Mounted Police and others it could greatly assist the investigation and apprehension of sexual offenders.

48. It is recommended that Canadian police forces be encouraged to co-operate in providing consensual background checks on prospective volunteers to volunteer organizations at a minimal charge.

REASON

As long as this service is not abused we feel that police forces should provide this service which can bring peace of mind to organizations who might feel vulnerable.

49. It is recommended that all police forces be allowed to photograph and fingerprint all parolees reporting to their jurisdictions.

REASON

This will give police forces an advantage in that they will obtain up to date information on all parolees.

(Recommendations for Canadian Police Forces continued)

50. It is recommended that the Corrections and Conditional Release Act be immediately amended to provide an authority for police officers to arrest without warrant a parolee if the police officer has reasonable grounds to believe that the parolee has contravened or wilfully failed to comply with a condition of his release.

REASON

We strongly endorse this recommendation. Firstly it will reinforce the terms of any release plan, and secondly it will provide the police forces with an expedient method of dealing with parolees who breach their parole conditions.

RECOMMENDATIONS FOR THE PEEL REGIONAL POLICE SERVICE

51. It is recommended that the Peel Regional Police expand and refine their information retrieval system data bases on all known criminals within their jurisdiction. This would include information on all federal and provincial parolees.

REASON

This may allow for quicker identification and apprehension of offenders when a crime has been committed.

52. It is recommended that the Peel Regional Police maintain a current and complete listing of all federal and provincial parole offices, business and after hours phone numbers including home phone numbers. This listing should be disseminated to all uniform and investigative areas.

REASON

To assist police forces in the direction of their investigations and to ensure the proper contacts have been made.

53. It is recommended that the Peel Regional Police continue to complete and provide special attention bulletins on all known high risk parolees. These bulletins must be made available for perusal by all uniform patrol and investigative officers force wide.

REASON

This would familiarize police with offenders in their jurisdiction.

54. It is recommended that the Peel Regional Police standardize the parolee reporting procedures at the Divisional level to ensure its uniformity and continue to maintain and expand a central data base for all parolees.

REASON

This may allow for quicker identification and apprehension of offenders when a crime has been committed.

55. The Solicitor General for the Province of Ontario should ensure that all police forces in the province, not just the Peel Regional Police follow the aforesaid recommendations.

RECOMMENDATIONS FOR THE ONTARIO MINISTRY OF CORRECTIONAL SERVICES

56. It is recommended that the Ontario Ministry of Correctional Services confirm in writing to the Ontario Parole Board immediately prior to the release of Level 1 inmates that the release plan can be implemented as approved.

REASON

This would give the Parole Board confidence that the release plan as presented to them is viable.

57. It is recommended that the parole supervisor report in writing to the Ontario Parole Board certifying that the release plan for Level 1 offenders has been implemented as ordered and if not any reasons for non-compliance within 15 days of the inmate's release.

REASON

This would allow the Parole Board to take the appropriate action.

58. It is recommended that the Ontario Ministry of Correctional Services ensure that the parole file for Level 1 offenders is received by the supervising parole officer prior to the release of the inmate.

REASON

This would allow the parole officer to assign the appropriate priority/risk to the parolee prior to release.

59. It is recommended that the Ontario Ministry of Correctional Services and Ontario Parole Board maintain and retain files for all serious (Level 1) offenders for a period of 10 years beyond the warrant expiry date.

REASON

This would allow for long term reference to offenders by investigating authorities in future fact finding endeavors.

60. It is recommended that the Ontario Parole Board establish a 24 hour on-call system for parole enquiries and ensure the availability of an on duty officer.

REASON

This would assist police agencies investigating offences in their jurisdictions in off hours.

(Recommendations for the Ontario Ministry of
Correctional Services continued)

61. It is recommended that the Ontario Parole Board be encouraged to enter into a Statement of Agreement and Understanding for the sharing of information with the Correctional Service of Canada and local police services.

REASON

All parties would benefit from sharing information while encouraging a better working relationship.

62. It is recommended that the Ontario Parole Board consider risk assessment criteria in order to identify High Risk Releases when considering inmates for parole.

REASON

It is important to have consistent high risk criteria and is a necessary procedure to ensure high risk inmates are identified.

63. It is recommended that the Ontario Ministry of Correctional Services and the Ontario Parole Board designate and train selected parole officers in the supervision and management of sexual offenders and psychopaths.

REASON

Evidence shows a lack of knowledge regarding psychopaths and sexual offenders.

RECOMMENDATIONS FOR THE JOHN HOWARD SOCIETY

64. It is recommended that all John Howard Society branches adopt and implement the procedural guidelines for use of volunteers as established by the John Howard Society of Ontario and also that those guidelines are recommended for implementation by all John Howard Societies throughout Canada. These guidelines are attached with our verdict. (Appendix C)

REASON

Evidence shows no clear policy on volunteers and such a recommendation would promote consistency throughout all branches for the use of volunteer workers.

65. It is recommended that the John Howard Society continue to provide on-going training to all staff in relation to sexual offenders and psychopaths.

REASON

All staff should be knowledgeable with the handling of psychopaths and sex offenders because of the uniqueness of these offenders.

66. It is recommended that the Federal and Provincial governments continue to invite the John Howard Society and similar organizations who work with offenders to attend educational seminars in relation to the management and supervision of sex offenders, particularly paedophiles and psychopaths.

REASON

All staff should be knowledgeable with the handling of psychopaths and sex offenders because of the uniqueness of these offenders.

67. It is recommended that the parole supervisors, when they become aware that ex-inmates who are considered dangerous are receiving services from or are participating in the activities of a volunteer organization, provide the volunteer organization with relevant information regarding the potential risk.

REASON

Only the parole officer is aware of the risk of any one offender therefore the parole officer MUST inform the volunteer organization when the parole officer is made aware of the offenders participation with said organization.

RECOMMENDATIONS FOR FEDERAL/PROVINCIAL CO-OPERATION

68. It is recommended that both Federal and Provincial authorities ensure that there is a full sharing of information relevant to the assessment of the risk that a particular individual imposes to the community. This disclosure is not restricted to provincial correctional institutions and federal correctional institutions and respective parole boards, but as well to provincial mental health facilities and federal/provincial correctional facilities. If legislation is required to give effect to this recommendation, then this should be done.

REASON

Evidence shows on several occasions proper transfer of files was not done due to ineffective legislation pertaining to the proper flow of information. It is important that all parties concerned have a clear consensus of particular individuals.

69. It is recommended that both federal and provincial correctional files, as well as provincial mental health files must keep an updated summary report on the inside front cover or in some other conspicuous location identifying the seminal characteristics of the inmate.

REASON

Since some of these files become quite large and cumbersome over a period of time it is important to ensure a quick accurate summary is readily available to anyone who has access to the file.

70. It is recommended that a joint federal/provincial publication be produced outlining the characteristics and treatments if any, of all sex offenders and psychopaths. This publication will be made available to all institutions dealing with sex offenders.

REASON

This would keep all institutions abreast of current treatments as many programs have been carefully evaluated and their success or failure is unknown.

FINAL RECOMMENDATION

71. We the Jury recommend that on the anniversary of this verdict that the Office of the Chief Coroner provide to:
- (i) all persons with standing at this inquest
 - (ii) the media in attendance, and
 - (iii) the members of this jury,
- a copy of the responses to these recommendations by any of the parties or agencies affected by them.

REASON

The Public has a right to know that the proper steps will be taken so that the Coroners Motto 'FROM THE DEATH OF ONE, WE MAY LEARN TO HELP LENGTHEN THE LIVES OF MANY' will be fulfilled in a timely fashion.

APPENDIX 'A'

Excerpts from the Community Protection Act, Washington 1990

(xv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority.

NEW SECTION. Sec. 811. Sections 801 through 809 of this act shall constitute a new chapter in Title 18 RCW.

PART IX

ENHANCED PENALTIES

Sec. 901. Section 5, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 146, Laws of 1988 and RCW 9A.44.050 are each amended to read as follows:

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:

- (a) By forcible compulsion;
- (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; or
- (c) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) Rape in the second degree is a class ((B)) A felony.

Sec. 902. Section 5, chapter 145, Laws of 1988 and RCW 9A.44.083 are each amended to read as follows:

(1) A person is guilty of child molestation in the first degree when the person has sexual contact with another who is less than twelve years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

(2) Child molestation in the first degree is a class ((B)) A felony.

Sec. 903. Section 3, chapter 145, Laws of 1988 and RCW 9A.44.076 are each amended to read as follows:

(1) A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old

but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

(2) Rape of a child in the second degree is a class ((B)) A felony.

Sec. 904. Section 9A.88.010, chapter 260, Laws of 1975 1st ex. sess. as amended by section 1, chapter 277, Laws of 1987 and RCW 9A.88.010 are each amended to read as follows:

(1) A person is guilty of indecent exposure if he intentionally makes any open and obscene exposure of his person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm.

(2) Indecent exposure is a misdemeanor unless such person exposes himself to a person under the age of fourteen years in which case indecent exposure is a gross misdemeanor on the first offense and, if such person has previously been convicted under this subsection or of a sex offense as defined in RCW 9.94A.030, then such person is guilty of a class C felony punishable under chapter 9A.20 RCW.

PART X

CIVIL COMMITMENT

NEW SECTION. Sec. 1001. The legislature finds that a small but extremely dangerous group of sexually violent predators exist who do not have a mental disease or defect that renders them appropriate for the existing involuntary treatment act, chapter 71.05 RCW, which is intended to be a short-term civil commitment system that is primarily designed to provide short-term treatment to individuals with serious mental disorders and their return to the community. In contrast to persons appropriate for civil commitment under chapter 71.05 RCW, sexually violent predators generally have antisocial personality features which are unamenable to existing mental illness treatment modalities and those features render them likely to engage in sexually violent behavior. The legislature further finds that sexual offenders' likelihood of engaging in repeat acts of predatory sexual violence is high. The existing involuntary commitment act, chapter 71.05 RCW, is inadequate to address the risk to reoffend because during confinement these offenders do not have access to potential victims and therefore they will not engage in an overt act during confinement as required by the involuntary treatment act for continued confinement. The legislature further finds that the prognosis for curing sexually violent offenders is poor, the treatment needs of this population are very long term, and the treatment modalities for this population are very different than the traditional treatment modalities for people appropriate for commitment under the involuntary treatment act.

NEW SECTION. Sec. 1002. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Sexually violent predator" means any person who has been convicted of or charged with a crime of sexual violence and who suffers from

mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence.

(2) "Mental abnormality" means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to the commission of criminal sexual acts in a degree constituting such person a menace to the health and safety of others.

(3) "Predatory" means acts directed towards strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization.

(4) "Sexually violent offense" means: (a) An act defined in Title 9A RCW as rape in the first degree, rape in the second degree by forcible compulsion, rape of a child in the first or second degree, statutory rape in the first or second degree, indecent liberties by forcible compulsion, indecent liberties against a child under age fourteen, incest against a child under age fourteen, or child molestation in the first or second degree; (b) any conviction for a felony offense in effect at any time prior to the effective date of this section, that is comparable to a sexually violent offense as defined in subsection (4)(a) of this section, or any federal or out-of-state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this subsection; or (c) any act of murder in the first or second degree, assault in the first or second degree, kidnapping in the first or second degree, burglary in the first degree, residential burglary, or unlawful imprisonment, which act, either at the time of sentencing for the offense or subsequently during civil commitment proceedings pursuant to this section, has been determined beyond a reasonable doubt to have been sexually motivated, as that term is defined in section 602 of this act; or, as described in chapter 9A.28 RCW, is an attempt, criminal solicitation, or criminal conspiracy to commit one of the felonies designated in (a), (b), or (c) of this subsection.

NEW SECTION. Sec. 1003. When it appears that: (1) The sentence of a person who has been convicted of a sexually violent offense is about to expire at any time in the past; (2) the term of confinement of a person found to have committed a sexually violent offense as a juvenile is about to expire; (3) a person who has been charged with a sexually violent offense and has been determined to be incompetent to stand trial is about to be or has been released pursuant to RCW 10.77.090(3); or (4) a person who has been found not guilty by reason of insanity of a sexually violent offense is about to be released pursuant to RCW 10.77.020(3); and it appears that the person may be a sexually violent predator, the prosecuting attorney of the county where the person was convicted or charged or the attorney general if requested by the prosecuting attorney may file a petition alleging that the person is a "sexually violent predator" and stating sufficient facts to support such allegation.

NEW SECTION. Sec. 1004. Upon the filing of a petition under section 1003 of this act, the judge shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made the judge shall direct that the person be taken into custody and the person shall be transferred to an appropriate facility for an evaluation as to whether the person is a sexually violent predator. The evaluation shall be conducted by a person deemed to be professionally qualified to conduct such an examination pursuant to rules developed by the department of social and health services. In adopting such rules, the department of social and health services shall consult with the department of health and the department of corrections.

NEW SECTION. Sec. 1005. Within forty-five days after the filing of a petition pursuant to section 1003 of this act, the court shall conduct a trial to determine whether the person is a sexually violent predator. At all stages of the proceedings under this chapter, any person subject to this chapter shall be entitled to the assistance of counsel, and if the person is indigent, the court shall appoint counsel to assist him or her. Whenever any person is subjected to an examination under this chapter, he or she may retain experts or professional persons to perform an examination on their behalf. When the person wishes to be examined by a qualified expert or professional person of his or her own choice, such examiner shall be permitted to have reasonable access to the person for the purpose of such examination, as well as to all relevant medical and psychological records and reports. In the case of a person who is indigent, the court shall, upon the person's request, assist the person in obtaining an expert or professional person to perform an examination or participate in the trial on the person's behalf. The person, the prosecuting attorney or attorney general, or the judge shall have the right to demand that the trial be before a jury. If no demand is made, the trial shall be before the court.

NEW SECTION. Sec. 1006. (1) The court or jury shall determine whether, beyond a reasonable doubt, the person is a sexually violent predator. If the state alleges that the prior sexually violent offense that forms the basis for the petition for commitment was an act that was sexually motivated as provided in section 1002(3)(c) * [1002(4)(c)] of this act, the state must prove beyond a reasonable doubt that the alleged sexually violent act was sexually motivated as defined in section 602 of this act. If the court or jury determines that the person is a sexually violent predator, the person shall be committed to the custody of the department of social and health services in a secure facility for control, care, and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large. Such control, care, and treatment shall be provided at a facility operated by the department of social and health services. If the court or jury is not satisfied beyond a reasonable doubt that the person is a sexually violent predator, the court shall direct the person's release.

(2) If the person charged with a sexually violent offense has been found incompetent to stand trial, and is about to or has been released pursuant to RCW 10.77.090(3), and his or her commitment is sought pursuant to subsection (1) of this section, the court shall first hear evidence and determine whether the person did commit the act or acts charged if the court did not enter a finding prior to dismissal under RCW 10.77.090(3) that the person committed the act or acts charged. The hearing on this issue must comply with all the procedures specified in this section. In addition, the rules of evidence applicable in criminal cases shall apply, and all constitutional rights available to defendants at criminal trials, other than the right not to be tried while incompetent, shall apply. After hearing evidence on this issue, the court shall make specific findings on whether the person did commit the act or acts charged, the extent to which the person's incompetence or developmental disability affected the outcome of the hearing, including its effect on the person's ability to consult with and assist counsel and to testify on his or her own behalf, the extent to which the evidence could be reconstructed without the assistance of the person, and the strength of the prosecution's case. If, after the conclusion of the hearing on this issue, the court finds, beyond a reasonable doubt, that the person did commit the act or acts charged, it shall enter a final order, appealable by the person, on that issue, and may proceed to consider whether the person should be committed pursuant to this section.

(3) The state shall comply with RCW 10.77.220 while confining the person pursuant to this chapter. The facility shall not be located on the grounds of any state mental facility or regional habilitation center because these institutions are insufficiently secure for this population.

**Reviser's note: The bracketed material corrects an erroneous reference.*

NEW SECTION. Sec. 1007. Each person committed under this chapter shall have a current examination of his or her mental condition made at least once every year. The person may retain, or if he or she is indigent and so requests, the court may appoint a qualified expert or a professional person to examine him or her, and such expert or professional person shall have access to all records concerning the person. The periodic report shall be provided to the court that committed the person under this chapter.

NEW SECTION. Sec. 1008. The involuntary detention or commitment of persons under this chapter shall conform to constitutional requirements for care and treatment.

NEW SECTION. Sec. 1009. (1) If the secretary of the department of social and health services determines that the person's mental abnormality or personality disorder has so changed that the person is not likely to commit predatory acts of sexual violence if released, the secretary shall authorize the person to petition the court for release. The petition shall be served upon the court and the prosecuting attorney. The court, upon receipt of the

petition for release, shall within forty-five days order a hearing. The prosecuting attorney or the attorney general, if requested by the county, shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of his or her choice. The hearing shall be before a jury if demanded by either the petitioner or the prosecuting attorney or attorney general. The burden of proof shall be upon the prosecuting attorney or attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if discharged is likely to commit predatory acts of sexual violence.

(2) Nothing contained in this chapter shall prohibit the person from otherwise petitioning the court for discharge without the secretary's approval. The secretary shall provide the committed person with an annual written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall forward the notice and waiver form to the court with the annual report. If the person does not affirmatively waive the right to petition, the court shall set a show cause hearing to determine whether facts exist that warrant a hearing on whether the person's condition has so changed that he or she is safe to be at large. The committed person shall have a right to have an attorney represent him or her at the show cause hearing but the person is not entitled to be present at the show cause hearing. If the court at the show cause hearing determines that probable cause exists to believe that the person's mental abnormality or personality disorder has so changed that the person is safe to be at large and will not engage in acts of sexual violence if discharged, then the court shall set a hearing on the issue. At the hearing, the committed person shall be entitled to be present and to the benefit of all constitutional protections that were afforded to the person at the initial commitment proceeding. The prosecuting attorney or the attorney general if requested by the county shall represent the state and shall have a right to a jury trial and to have the committed person evaluated by experts chosen by the state. The committed person shall also have the right to have experts evaluate him or her on his or her behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at the hearing shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality or personality disorder remains such that the person is not safe to be at large and if released will engage in acts of sexual violence.

NEW SECTION. Sec. 1010. Nothing in this chapter shall prohibit a person from filing a petition for discharge pursuant to this chapter. However, if a person has previously filed a petition for discharge without the secretary's approval and the court determined, either upon review of the petition or following a hearing, that the petitioner's petition was frivolous or that the petitioner's condition had not so changed that he or she was safe to

be at large, then the court shall deny the subsequent petition unless the petition contains facts upon which a court could find that the condition of the petitioner had so changed that a hearing was warranted. Upon receipt of a first or subsequent petition from committed persons without the secretary's approval, the court shall endeavor whenever possible to review the petition and determine if the petition is based upon frivolous grounds and if so shall deny the petition without a hearing.

NEW SECTION. Sec. 1011. The department of social and health services shall be responsible for all costs relating to the evaluation and treatment of persons committed to their custody under any provision of this chapter. Reimbursement may be obtained by the department for the cost of care and treatment of persons committed to its custody pursuant to RCW 43.20B.330 through 43.20B.370.

NEW SECTION. Sec. 1012. In addition to any other information required to be released under this chapter, the department is authorized, pursuant to section 117 of this act, to release relevant information that is necessary to protect the public, concerning a specific sexually violent predator committed under this chapter.

NEW SECTION. Sec. 1013. Sections 1001 through 1012 of this act shall constitute a new chapter in Title 71 RCW.

PART XI

BACKGROUND CHECKS

Sec. 1101. Section 1, chapter 486, Laws of 1987 as amended by section 1, chapter 90, Laws of 1989 and by section 1, chapter 334, Laws of 1989 and RCW 43.43.830 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.43.830 through 43.43.840.

(1) "Applicant" means ((either)):

(a) Any prospective employee who will or may have unsupervised access to children under sixteen years of age or developmentally disabled persons or vulnerable adults during the course of his or her employment or involvement with the business or organization(~~(c) However, for school districts and educational service districts, prospective employee includes only noncertificated personnel~~); or

(b) Any prospective volunteer who will have regularly scheduled unsupervised access to children under sixteen years of age, developmentally disabled persons, or vulnerable adults during the course of his or her employment or involvement with the business or organization under circumstances where such access will or may involve groups of (i) five or fewer children under twelve years of age, (ii) three or fewer children between twelve and sixteen years of age, (iii) developmentally disabled persons, or (iv) vulnerable adults.

(2) "Business or organization" means a business or organization licensed in this state, any agency of the state, or other governmental entity that educates, trains, treats, supervises, or provides recreation to developmentally disabled persons, vulnerable adults, or children under sixteen years of age, including school districts and educational service districts.

(3) "Civil adjudication" means a specific court finding of sexual abuse or exploitation or physical abuse in a dependency action under RCW ((43.34.030(2)(b))) 13.34.040 or in a domestic relations action under Title 26 RCW. In the case of vulnerable adults, civil adjudication means a specific court finding of abuse or financial exploitation in a protection proceeding under chapter 74.34 RCW. It does not include administrative proceedings. The term "civil adjudication" is further limited to court findings that identify as the perpetrator of the abuse a named individual, over the age of eighteen years, who was a party to the dependency or dissolution proceeding or was a respondent in a protection proceeding in which the finding was made and who contested the allegation of abuse or exploitation.

(4) "Conviction record" means "conviction record" information as defined in RCW 10.97.030(3) relating to a crime against children or other persons committed by either an adult or a juvenile. It does not include conviction for an offense that has been the subject of an expungement, pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted, or a conviction that has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. It does include convicted offenses for which the defendant received a deferred or suspended sentence unless the record has been expunged according to law.

(5) ((^(a)Disciplinary board final decision means any final decision issued by the disciplinary board or the director of the department of licensing for the following business or professions:

- (a) Chiropractic;
- (b) Dentistry;
- (c) Dental hygiene;
- (d) Drugless healing;
- (e) Massage;
- (f) Midwifery;
- (g) Osteopathy;
- (h) Physical therapy;
- (i) Physicians;
- (j) Practical nursing;
- (k) Registered nursing;
- (l) Psychology; and
- (m) Real estate brokers and salesmen.

(6)) "Crime against children or other persons" means a conviction any of the following offenses: Aggravated murder; first or second degree

APPENDIX 'B'

Excerpts from State of Washington
Governor's Task Force on Community Protection

Required Actions

CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS

The Task Force was created principally to answer one question: What gaps in our law and administrative structures allow the release of known dangerous offenders who are highly likely to commit very serious crimes?

The Task Force reviewed the current laws for the adult and juvenile criminal systems and the involuntary treatment laws. In each system, the Task Force identified an "end point" for state control. These end points are as follows.

- Offenders committed under the Sentencing Reform Act are sentenced to a definite term. The most serious offenders are supervised in the community for one year following release. When the confinement and supervision term expire, the state's control over these offenders ceases.
- State prison inmates sentenced under the indeterminate system (crimes committed before 1984) serve terms set by the Indeterminate Sentence Review Board and are released when they are "fit subjects for release." Some offenders are never found eligible for parole and serve their entire maximum term in prison; the majority are placed on parole. The Board loses all jurisdiction over the offender when the statutory maximum for the crime expires (five years for Class C felonies, ten years for Class B, and life for Class A). Many offenders who committed very serious crimes and are viewed as very dangerous were convicted of Class B offenses.
- The juvenile system loses all jurisdiction on juvenile offenders when they turn 18, unless the jurisdiction is extended by the juvenile court before the offender turns 18 and then the age is extended to 21.
- Persons found Not Guilty by Reason of Insanity under the criminal insanity law may be held for the statutory maximum of the crime they committed or until their mental illness is stabilized and they no longer present a danger to others. They can be held beyond the statutory maximum if they are found dangerous to self or others and are detained under the involuntary treatment law.

Governor's Task Force on Community Protection

Required Actions

- Persons found incompetent to stand trial can be held for up to one year and 15 days (90 days if the person is developmentally disabled) in order to re-establish their competency. If competency cannot be re-established, the charges are dismissed without prejudice (charges can be refiled if the person regains competency at a later time). A person found incompetent to stand trial can be referred to a state hospital and held under the involuntary treatment law if the person is dangerous to self or others or is gravely disabled.

Civil commitment under the involuntary treatment law allows indefinite commitment, but is quite restrictive in its definitions. Under current laws, sexually violent predators only qualify for civil detention when a mental illness or mental disorder is present. The Task Force examined the histories of some individual violent predators who had been judged not to have a mental illness or mental disorder and therefore were not detainable.

The Task Force concluded that existing laws do not offer a sufficient safety net for confinement of sexually violent predators who meet these end points. The Task Force believes a safety net must be created to reduce future acts of violence.

The Task Force proposes creating a new civil commitment statute for sexually violent predators. Sexually violent predators are defined in the following ways.

- A person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence.
- The proposed definition of "predatory" is: acts directed towards strangers or towards individuals with whom a relationship has been established or promoted for the primary purpose of victimization.
- Sexual violence includes sex offenses, and also offenses with a special finding of sexual intent. "Sexual violence" means acts defined in RCW 9A as Rape in the First Degree, Rape in the Second Degree, Rape of a Child in the First or Second Degree, Indecent Liberties by Forcible Compulsion, Child Molestation in the First or Second Degree, and any act of Murder in the First or Second Degree, Assault in the First or Second Degree, Kidnapping in the First or Second Degree, Burglary in the First Degree, and Residential Burglary if such act has been determined to have been sexually motivated. Convictions for attempts or conspiracies to commit are also included in the definition.

Governor's Task Force on Community Protection

Required Actions

The Task Force believes statutory requirements and procedural rights must be rigorous and constitutionally sound, and include the right to a jury trial, the right to counsel, the right to offer evidence and cross-examine witnesses, and the right to require the state to prove its case beyond a reasonable doubt.

During the period of commitment, the person will be treated by psychiatrists and other professional experts using an individualized treatment plan. A formal examination of the person's mental condition will be conducted each year and the written report made available to the court which committed the person.

If the treatment professionals determine that the person's mental abnormality or personality disorder has changed and the person is not likely to commit predatory acts of sexual violence, the person can petition the court for release. The burden of proof shall be on the state to show by a preponderance of evidence that the petitioner's mental abnormality or personality disorder has not changed and the person is not safe to be at large and that if released, it is likely the person will commit predatory acts of sexual violence. The person also has the right to petition the court for release without the endorsement of the treatment professionals. In this situation, the person has the burden of proving he or she is safe to be at large and, if released, will no longer commit predatory acts of sexual violence.

Required Actions

**CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS:
RECOMMENDATION**

1. *A new civil commitment procedure for sexually violent predators will be created. The procedure will be constitutionally sound and provide necessary procedural rights. It will provide a mechanism to confine people who pose significant public safety risks, and provide treatment during their confinement.*

APPENDIX 'C'

John Howard Society of Ontario
Procedural Guidelines for the Use of Volunteers

JOHN HOWARD SOCIETY OF ONTARIO

PROCEDURAL GUIDELINES FOR THE USE OF VOLUNTEERS

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JOHN HOWARD SOCIETY OF ONTARIO

PROCEDURAL GUIDELINES FOR VOLUNTEERS

Preamble: A Volunteer Program In the John Howard Society

Volunteers are an important part of the decision making and service delivery practices of the John Howard Society of Ontario and its branches.

The John Howard Society of Ontario seeks to provide for its volunteers an enabling environment of participative management wherein staff, volunteers and clients may be encouraged to reach their fullest potential.

Volunteers are also encouraged to participate to the fullest extent possible in the life of the agency.

As such volunteers deserve and are entitled to know, understand and participate in the development and application of the volunteer practices of the Society, pertaining to planning, categorization, screening, orientation, assignment, job description, training, monitoring and supervision, maintenance and recognition, and termination.

With this environment in mind, these Procedural Guidelines for Volunteers are intended to assist the agency to develop a more comprehensive volunteer program and to rely less on ad hoc operational procedures in the use of volunteers.

Components of a comprehensive volunteer program are presented schematically on the next page and described in more detail within the text.

Periodic revision and updating of the guidelines will be required. It is anticipated that the Executive Directors Advisory Committee will play a key role in assisting the Resource Allocations Committee of the Provincial Board, with both future revisions and implementation of these guidelines.

A COMPREHENSIVE VOLUNTEER PROGRAM

GOALS AND OBJECTIVES
(Determining Roles for Volunteers)

JOB DESIGN
RECRUITMENT

REASSIGNMENT/
TERMINATION/
CONTINUATION

SCREENING/
ORIENTATION

EVALUATION

ASSIGNMENT/
DE-SELECTION

SUPERVISION/
TRAINING/
MONITORING/
RECOGNITION

Volunteer Categories

Volunteers may fall into three general categories:

- 1.1 Board and Board Committee volunteers with the rights and responsibilities as defined in the By-laws and Committee Terms of Reference.
- 1.2 Direct Service Volunteers, including those with direct client contact and file access and for whom the practices listed below generally apply.
- 1.3 Other volunteers, including those with no direct client contact or file access, and for whom the practices listed below generally apply.
- 1.4 Students are generally regarded as volunteers and may fall into any of the above categories. Short-term government contract workers are generally regarded as staff. Resource people specific for a program event are generally regarded as volunteers unless paid.

Volunteer Recruitment

Volunteers are generally recruited through:

- 2.1 Volunteer Service Bureaus
- 2.2 Local media advertising or mail campaign
- 2.3 Target group presentations
- 2.4 Mall displays
- 2.5 Walk-ins and general enquiries
- 2.6 Other means as appropriate

Volunteer Screening

- 3.1 All potential volunteers shall be interviewed by the volunteer coordinator, program coordinator, staff member or Executive Director.
- 3.2 Each potential volunteer will complete an application form.
- 3.3 Each potential volunteer will provide names of two references other than family members.
- 3.4 Each potential volunteer will be asked to grant written permission for the agency to obtain a police check (CPIC) or to obtain this police check themselves and present it to the agency. The volunteer will have the reasons for this explained. For example, a criminal background need not exclude a person from voluntary (or salaried) work within the agency. However, the nature of a criminal history should be considered when setting the parameters of the voluntary involvement. It is reasonable that some documented attempt to clarify a persons criminal background may preclude legal problems should a serious incident involving the volunteer occur. If on a conditional release, (Probation, Parole, M.S. etc.,) all conditions pertaining to the release must be known.
- 3.5 Information regarding the volunteer shall be subject to the confidentiality policy of the agency.
- 3.6 Potential volunteers, who have been clients of the John Howard Society within the last five years, will be asked to use the agency as one of their references.

Volunteer Orientation

Volunteers shall take part in an orientation process which includes among other items:

- History of the John Howard Society movement
- History of the John Howard Society of Ontario
- History of the branch and tour of the facilities
- Mandate and Mission Statement of the Society
- Local emphasis or strategic plan of the branch
- Services offered by the Society and branch as needed including Human Rights and Confidentiality
- Volunteer policies, practices and forms as needed or used by volunteers
- Specific information on programs as needed
- Other information as desired

Volunteer Assignment or De-Selection

On completion of the personal interview, application form, reference check, police check and orientation process, the volunteer may be assigned to specific duties. As much as possible, the assignment should be a combination of the volunteers interest and skills, with the needs of the agency, and the qualifications as outlined in the job description.

While the decision to assign or deselect is ultimately an intuitive one requiring good judgement, a number of factors should be considered. The job description should state skills needed or, if not so stated, the duties described should speak directly to the skills required. (See Appendix A. Job Description Sample.) The reference check, personal interview, and orientation process should provide the decision-maker with information upon which a judgement on the applicants skills and character must be made. As stated in 3.4 a criminal history need not exclude a person from assignment. However, the nature of the offense(s), length of time since commission, and degree of stabilization in the community, ~~may all be~~ factors in exercising good judgement for type of assignment or de-selection

At the time of assignment:

- 5.1 Each volunteer should report to a JHS staff person for supervision.
- 5.2 Each volunteer should have a job description which is reviewed with staff and understood.
- 5.3 Each volunteer should sign a mutually agreed time specific commitment or contract with a built in trial period.
- 5.4 Each volunteer should be given a copy of the volunteer policy and practices guidelines of the Society or the branch.
- 5.5 Each volunteer should receive (if not already in receipt of) the confidentiality policy of the Society or branch.
- 5.6 Those volunteers assigned to working with past offenders should be made aware of any concerns and past knowledge of the client as described in 11. below.

Volunteer Training

Once assigned to a specific volunteer job description and program, volunteers should have opportunities for skill enhancement. These usually take two general forms.

- 6.1 Non-formal training: often referred to as on-going, in-service, day to day on the job learning and;
- 6.2 Formal training: targeted for the volunteer(s) and others and based on the adult education principles of problem identification and training needs, defined training objectives, specific materials, organized training event(s) and training evaluation.

Volunteer Monitoring and Evaluation

Ongoing supervision and support should take the form of:

- 7.1 Statistical or written reports from the volunteer to the supervisor at regular or pre-arranged intervals.
- 7.2 On-going or pre-determined supervision sessions between the volunteer and the supervisor, dependent upon the nature and type of volunteer activity or assignment.
- 7.3 Where appropriate, pre-determined volunteer peer supervision and problem solving sessions.
- 7.4 Volunteer performance evaluations at pre-determined or pre-scheduled intervals dependent upon volunteer assignment.
- 7.5 Appropriate support such as counselling in order that the volunteer work is not detrimental to the volunteer.

Volunteer Recognition

Volunteers should have recognition for time, energy spent and especially, meritorious achievements. This recognition usually takes the form of:

- 8.1 Formal recognition events which may be annual occasions where volunteers are recognized for specific achievements such as length of service, and particular program accomplishments. These occasions may occur as:
 - 8.1.1 Part of the Annual General Meeting.
 - 8.1.2 A volunteer Recognition Dinner or Social.
 - 8.1.3 Part of National Volunteer Week.

8.2 Non-formal ongoing events such as:

- 8.2.1 Involvement in planning.
- 8.2.2 Letters of appreciation and reference.
- 8.2.3 Provision of interesting job opportunities.
- 8.2.4 Provision of a volunteer suggestion box.
- 8.2.5 Social partnership with staff in agency recreational events and socials.
- 8.2.6 Formal and informal mutual evaluation of the volunteers work.
- 8.2.7 Provision of volunteer feedback forms.

Volunteer Re-assignment

Through a periodic and mutually pre-determined evaluation process or because of changing interests of the volunteer, the supervisor and volunteer may agree on a change of assignment. When such a decision is reached the supervisor should inform the Volunteer Co-ordinator or Executive Director with, if possible, a recommendation for re-assignment. The Volunteer Co-ordinator or Executive Director should then make every effort to insure re-assignment occurs. Procedures outlined in Section 5. should be repeated.

Volunteer Termination

Volunteers terminations are generally classified into two groups: self determined and agency determined. Whether at the trial period mark of the assignment, the periodic or pre-determined time-frame for evaluation or because of external circumstances, termination reasons should be clearly understood by both the agency and the volunteer. To assist in this process the following should be available:

- 10.1 Completed volunteer evaluation form.
- 10.2 Completed volunteer feedback form.
- 10.3 Letters of appreciation or reference if applicable.
- 10.4 Other materials as may assist both the volunteer and agency in future directions.

11. Disclosure of Confidential Information to Volunteers

Once volunteers have completed the screening, orientation, and assignment procedure outlined in Sections 3. 4. & 5 above, they may have access to or be informed of confidential information. Volunteers who may be assigned to counselling or other duties with offenders, should be made aware of clients past offenses if known, and the agency's plan of intervention with the client. Volunteers should be reminded of the Society's or Branch's policy on confidentiality and should be given a copy of this policy. If a volunteer is uncomfortable working with a particular client because of the client's past offenses or present behaviour, the volunteer should discuss this with the supervisor and if needed, request re-assignment.

12. Volunteer Files

Each volunteer should have a file with name and volunteer status clearly labelled. Policies regarding the use and confidentiality of personnel files will govern volunteer files.

13. Volunteer Conduct

Volunteers should be made aware at orientation and receive copies of any code of conduct, human rights policy, and minimum standards pertaining to staff, volunteers and representatives of the agency.

14. Volunteer Membership

Under the By-Laws of the Society (By-law 1, Article 16(c), ii) volunteers who are contributing time to chapters and branches shall be General Members with voting privileges at special and general meetings.

15. Use of Volunteers Who Have a Past Criminal History

The agency has a responsibility to the volunteer, the agency, the community, and the individual(s) with whom the volunteer may come in contact during the performance of volunteer duties. Volunteers with criminal histories must except that in some instances, it may be necessary to divulge details of their background to individuals or community groups with whom they will be working as part of their volunteer assignments. Volunteers who fall into this category must be prepared to sign information release forms granting the agency permission to provide details of past criminal history and current status, when deemed appropriate.

APPENDIX I

SAMPLE GOALS AND OBJECTIVES OF A VOLUNTEER PROGRAM

GOAL: To have available volunteers to work in conjunction with professional staff to enrich and extend the services of the John Howard Society.

- Objective 1 to provide resource material on volunteer management to staff.
- Objective 2 to have an on-going comprehensive recruitment plan for volunteers.
- Objective 3 to maintain consistent screening procedures for volunteers, to ensure their suitability for the program.
- Objective 4 to interview and refer volunteers to positions according to their skills, abilities and interests.
- Objective 5 to ensure that all volunteers have job descriptions detailing their roles and responsibilities to the organization.
- Objective 6 to maintain a liaison with other agencies that work with volunteers e.g. The Volunteer Bureau, The Volunteer Co-Ordinators' Association.
- Objective 7 to provide staff training as requested on working with volunteers.
- Objective 8 to design and provide training programs for volunteers in conjunction with staff.
- Objective 9 to plan recognition events for all volunteers in the organization.

APPENDIX II

DETERMINING ROLES FOR VOLUNTEERS

A. WHY VOLUNTEERS

1. Examine the pros and cons of working with volunteers. The following chart will help you determine which volunteer activities will be most beneficial to the agency and also anticipate problems before they arise. A completed chart might look like this.

Volunteer Work in Direct Service

	For Management	For Staff	For Clients
<u>PROS</u>	Publicity for agency extended services	expanded services. an opportunity to to supervise	enthusiasm personal commitment more time neighbourliness
<u>CONS</u>	take time and effort	concerns about confidentiality, requires extra time, worried about supervision	may not turn up, confidentiality concerns

B. DETERMINING ROLES FOR VOLUNTEERS BY STAFF

1. Make a list of all the tasks you presently do yourself.
2. Make a list of what you would like to do but for which you do not have the time.

Tasks a Volunteer Could Do

- A) _____
- B) _____
- C) _____
- D) _____
- E) _____

3. Cross off any tasks which should be done by a professional and any you would prefer not to have a volunteer do.
4. Examine the remaining tasks and determine which ones might be appropriate for a volunteer.
5. Determine what area the task or tasks fit into as this will help in preparing the job description.
 - providing direct service
 - performing clerical or administrative tasks
 - fund raising
 - policy making or advising
6. Write up a job description.

APPENDIX III

SAMPLE VOLUNTEER JOB DESCRIPTION

The job description forms the basis for determining the placement, the training needs, and supervision of volunteers. It also helps volunteers make a commitment to something they clearly understand in terms of responsibility. Always make sure that the job titles are distinct from those of staff. This is for legal reasons as well as to prevent confusion between the role of staff and volunteers in the organization.

Sample Job Description

Title of Job: Volunteer Tutor in the Life Skills Program

Supervised by: John Black

Purpose: to work with one or two trainees to provide individualized instruction in Life Skills.

Duties and Responsibilities:

1. to attend orientation and training sessions organized for the volunteer.
2. to meet with the Life Skills Instructor at the beginning of the session to plan the activities and tasks to be accomplished with the trainee.
3. to assist with the assigned learning activities.
4. to identify and report any difficulties the trainee is having.
5. to record the progress of the trainee on the appropriate form.
6. to participate in team meetings as required.
7. to maintain confidentiality.

Qualifications:

Ability to relate to people
Previous experience in teaching is helpful
Previous experience working with the unemployed is helpful

APPENDIX IV

SAMPLE RECRUITMENT PLAN

Based on the job description(s) determine:

1. Who you are trying to recruit? - Who is your target group?

Older people, teenagers, people in the work-force, homemakers, college and university students, business people.

2. Why do you want to involve volunteers?

Specific role of volunteers
Determine your job requirements

3. Where? - Community at large, university, churches, business

4. When? - On-going recruitment plan, designate a week, day.

5. How are you going to do it?

Pamphlets, posters, personal contact.

SOME IDEAS FOR RECRUITING VOLUNTEERS

1. Provide good experience for volunteers.
2. Contact the Volunteer Co-Ordinator.
3. Contact the Volunteer Bureau.
4. Speaking engagements.
5. Telephone campaigns.
6. Take a media person out to lunch.
7. Display case at the library.
8. Neighbourhood coffee parties.
9. Write a letter to the editor.
10. Local University.

Recruitment cont'd.

11. Local Community College.
12. Teachers Education program.
13. Zoo sign, gas station signs.
14. Girl Guides, Boy Scouts.
15. Approach business managers to involve their employees.

APPENDIX V

PERSONAL INTERVIEWING

The purpose of the interview with the volunteer is to find out about the attitude, beliefs and motives of prospective volunteers and to assess that person's suitability for a volunteer position in the organization. It is very important to identify the volunteer's needs and interests to ensure that the needs of the agency do not take precedence over individual considerations. Ask the prospective volunteer for a second interview if you still have questions.

Some questions that are useful to ask.

1. What have you enjoyed most in previous volunteer assignments? What have you enjoyed least?
2. What would you consider the ideal job for you?
3. Why do you want to volunteer?
4. What kind of people do you like to work with?
5. What do you hope to gain from this experience?
6. What do you like to do in your spare time?

APPENDIX VI

SAMPLE VOLUNTEER EVALUATION FORM

VOLUNTEER EXPERIENCE: Documentation and Verification Form

DATE: _____

SUPERVISOR: _____

VOLUNTEER: _____

LENGTH OF COMMITMENT:

From: _____ To: _____ Days/wk. _____ Hrs./wk _____

Briefly describe the service provided by the volunteer.

Please rate the following on a scale of 1-5 (excellent 5; Good 4; Satisfactory 3; Improvement needed 2; Poor 1)

1. Punctuality and dependability _____
2. Understanding the services and policies of the organization _____
3. Suitable role model _____
4. Demonstrates ability and initiative in volunteer assignments _____
5. Plans and arranges work responsibilities _____
6. Relates well with co-workers _____
7. Additional Comments: _____

APPENDIX VII

SAMPLE: VOLUNTEER FEEDBACK FORM

EVALUATION OF VOLUNTEER EXPERIENCE

We need your ideas to help us improve our Volunteer Program.

Name: (Optional) _____

1. Volunteer time given: _____ hours per week for _____ weeks

2. Brief description of activities of a volunteer: _____

3. Please rate the following on a scale of 1-5 (excellent 5; Good 4; Satisfactory 3; Needs improvement 2; Poor 1)

Did your orientation provide a good introduction to the organization? _____

Did you feel your placement was made according to your interests and abilities? _____

Did the training sessions provided help you in your work? _____

Did you feel that adequate staff time was available to you? _____

Did you feel people in this organization acknowledged and appreciated your volunteer contribution? _____

4. Things I particularly liked about being a volunteer are: _____

5. Things I wish had been different are: _____

6. Additional comments: _____

APPENDIX VIII

SAMPLE VOLUNTEER APPOINTMENT APPLICATION FORM

NAME: _____ TELEPHONE: _____

ADDRESS: _____ POSTAL CODE: _____

LANGUAGE SPOKEN: English ____

French ____

BUSINESS TELEPHONE: _____ Other ____

What hobbies and recreational activities do you enjoy?

Have you any academic or other qualifications or experiences which
you feel you could utilize as a volunteer? Please specify.

Have you any affiliation with Community Groups (ie. Church,
Service Organizations)? Please specify.

Please list and date any previous volunteer experience.

Why do you wish to be a volunteer in this program?

Have you ever received service from any John Howard Society within the last five years? If yes, please specify. Yes _____ No _____
This will be used for a reference.

References:

1. Name: _____ Address: _____
Telephone: _____
2. Name: _____ Address: _____
Telephone: _____

In making this application, I hereby give the John Howard Society authority to contact the persons named as references and to make enquiries with the Police Authorities as it be deemed necessary to ascertain my suitability as a volunteer.

SIGNED: _____ DATE: _____

INTERVIEWED BY: _____ POSITION _____

My preferences for volunteer involvement would be with: (Please X)

- _____ Institution (Local Jail work)
- _____ Community Service Order Supervision
- _____ Community Service Order soliciting new agencies
- _____ Employment Strategies/Job Search
- _____ Counselling
- _____ Clerical/Typing
- _____ Public Education/Community Awareness

NOTE: Volunteers are required to adhere to all agency policies, especially those pertaining to confidentiality and Minimum Standards.

WE, THE JURY, WISH TO EXPRESS OUR GRATITUDE

AND ACKNOWLEDGMENT TO:

DR. JAMES CAIRNS

DEPUTY CHIEF CORONER FOR ONTARIO

Mr. Paul Taylor, Crown Attorney

and

Mr. Al O'Marra

Counsel for Dr. James Cairns

**FOR THEIR ASSISTANCE IN FORMULATING EXPLICIT AND COMPELLING
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Det. Paul Tetzlaff

Const. James Davis

Const. Angel D'andrea

**FOR THEIR PROFESSIONALISM AND TOP-NOTCH INVESTIGATION AND
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THIS INQUEST PRESENTED**

